

# *Switzerland County School Corporation*

Switzerland Co. High School  
1020 W. Main Street  
Vevay, Indiana 47043

Switzerland Co. Middle School  
1004 W. Main Street  
Vevay, Indiana 47043

Office of Superintendent  
1040 W. Main Street  
Vevay, Indiana 47043  
(812) 427-2611 / 2612  
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Jefferson - Craig Elementary School  
1002 W. Main Street  
Vevay, Indiana 47043

Switzerland Co. Elementary School  
P.O. Box 87  
East Enterprise, Indiana 47019

January 23, 2013

## **REQUEST FOR REVIEW**

### **CC Docket No. 96-45 and CC Docket No. 02-6 E-Rate Appeal Filed Electronically via the FCC ECFS System**

**Marlene H. Dortch, Secretary**  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

**RE:** Request for Review of the Administrator's Decision on Appeal 486 Application 890100  
FRN 2077362 and 2077451.

Re: Applicant: Switzerland County School Corporation  
BEN: 130531  
Form 471 Application Number: 768094  
Form 486 Application Number: 890100  
FRN: 2077362 and 2077451  
Funding Year: 2010  
Services: Internal Connections  
Service Providers: CenturyLink Corp FKA Embarq SPIN 143019614 for both FRNs

To Whom It May Concern:

This is an appeal of the denial of the Administrator's Decision on Appeal – Funding Year 2011 – 2012 dated January 14, 2013 in connection with FRN 2077362 and 2077451 on FCC Form 471 Application Number 768094 and FCC Form 486 Application Number 890100. A copy of the Administrator's Decision of Appeal is attached hereto as Exhibit A.

#### Text Being Requested for Review:

“USAC has determined that your FCC Form 486 was not filed within 120 days calculated from February 28, 2012, the date of the RFCDL. On July 11, 2012, USAC mailed an “Urgent Reminder” letter providing you additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was certified on July 27, 2012, 120 days before the FCC Form 486 postmark date. If the funding commitment includes recurring charges then the funding commitment has been reduced accordingly. It is the responsibility of the applicant to ensure that all forms are submitted to USAC in a correct and timely manner. As a result, your appeal is denied..”

Switzerland County School Corporation is committed to equal opportunity and does not discriminate on the basis of age, race, color, sex, handicapping conditions, or national origin including limited English proficiency, in any employment opportunity. No person is excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination on such basis under any educational program or student activity.

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Appeal Review Request:

USAC based the denial on not filing the FCC Form 486 within the 120 days and referenced the Alaska Gateway Order DA 06-1871 para. 8. The FCC has a long history of waiving its rules for "good cause" in this case Switzerland County School Corporation the local school official responsible thought he had in fact filed the FCC Form 486 and the record indicates it was submitted on 3/2/2012 see 486 Application 890100 Submission exhibit B which was within the 120 days of the issuance of the RFCDL. The local school official did not realize the additional requirement to also certify. He believed submission of the FCC Form 486 was the only requirement. We do not dispute that an "Urgent Reminder" was sent unfortunately the local school official thought he had submitted the application and failed to understand the certification requirements.

Attached documents which support The Request for Review

Exhibit A - Copy of Administrator's Decision of Appeal – Funding Year 2010 - 2011, Dated January 14, 2013

Exhibit B – Copy of original FCC Form 486 submission dated March 2, 2012.

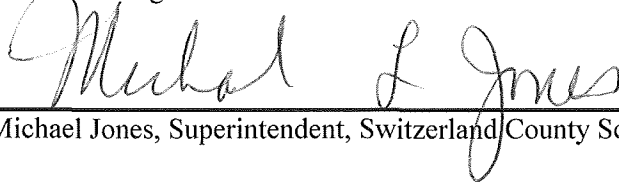
REQUEST FOR WAIVER OF FCC RULES

The School Corporation believes special circumstances warrant a deviation from the FCC general rules, and such deviation would better serve the public interest than strict adherence to the general rules. In addition, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. We believe that good cause exists to waive USAC's deadline for the FCC Form 486 filed with USAC. We also believe granting this request will promote the statutory requirements of section 254(h) of the Communications Act of 1934, as amended (the "Act"), by helping to ensure that eligible schools and libraries obtain access to discounted telecommunications and information services. We request the SSD for FCC Form 486 Number 890100 be established as July 1, 2010 not July 27, 2012.

Thank you for your time and consideration. You are hereby authorized to contact our E-Rate Contact, Charlie Hobbs, if you have any questions concerning this appeal or require additional information. His contact information is as follows:

Charlie Hobbs  
AdTec, Inc  
P.O. Box 97  
Centerville, IN 47330  
Telephone: 765-855-1612  
Fax: 765-855-1615  
[chobbs@admtec.com](mailto:chobbs@admtec.com)

Authorized Signature:



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Michael Jones, Superintendent, Switzerland County School Corporation